

McDERMOTT WILL & EMERY LLP

Timothy W. Walsh
Darren Azman
340 Madison Avenue
New York, New York 10173
Telephone: (212) 547-5400
Facsimile: (212) 547-5444
twwalsh@mwe.com
dazman@mwe.com

Counsel to the Foreign Representative

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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	:	
In re:	:	Chapter 15
	:	
O.W. BUNKER GERMANY GMBH, ¹	:	Case No. 15-____ (____)
	:	
Debtor in a Foreign Proceeding.	:	
	:	
-----X	:	

**DECLARATION OF DARREN AZMAN
REGARDING DETERMINATION OF FOREIGN LAW**

I, Darren Azman, state as follows:

1. I am an associate of the law firm of McDermott Will & Emery LLP (“McDermott”), with offices at 340 Madison Avenue, New York, New York 10173. I am a member in good standing of the bar of the State of New York.

2. McDermott is counsel to Dr. Gideon Böhm, in his capacity as the insolvency administrator and foreign representative (the “Administrator”) of O.W. Bunker Germany GmbH (the “Debtor”), which is currently in administration proceedings (the “German Proceeding”) under the Germany Insolvency Code, subject to the supervision of the Amtsgericht – Insolvenzgericht Hamburg (Local Court – Insolvency Court Hamburg).

¹ The last four digits of the Debtor’s tax identification number are 0130.

3. I submit this Declaration to provide the Court with relevant material about Germany's law on insolvency in accordance with Federal Rule of Civil Procedure 44.1, as made applicable to this chapter 15 case by Rule 9017 of the Federal Rules of Bankruptcy Procedure.

4. Based upon the *Declaration of Dr. Matthias Kampshoff in Support of Verified Petition for Recognition of German Administration Proceeding and Related Relief* ("Kampshoff Declaration") filed contemporaneously herewith, attached hereto as Exhibits 1 through 6 are true and correct copies of pleadings and translations of orders entered by the German Court and available to parties in interest in the German Proceeding.

5. Attached as Exhibit 1 is a true and correct copy of the *Beschluss* issued by the German Court, dated November 12, 2014, appointing the Administrator as the interim insolvency administrator of the Debtor.

6. Attached as Exhibit 2 is a true and correct copy of an English translation of Exhibit 1.

7. Attached as Exhibit 3 is a true and correct copy of the *Beschluss* issued by the German Court, dated December 15, 2014, opening the German Proceeding.

8. Attached as Exhibit 4 is a true and correct copy of an English translation of Exhibit 3.

9. Attached as Exhibit 5 is a true and correct copy of the *Bescheinigung*, dated December 16, 2014, reflecting the appointment of the Administrator as the permanent insolvency administrator of the Debtor.

10. Attached as Exhibit 6 is a true and correct copy of an English translation of Exhibit 5.

11. Attached as Exhibit 7 is a true and correct copy of an English translation of the German Insolvency Code provided by and published by Schultze & Braun GmbH.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: November 11, 2015
New York, New York

By: /s/ Darren Azman

Darren Azman